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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,298	12/16/2003	John L. Kemper	037607-0251	7677
34099	7590	03/09/2006	EXAMINER	
FANN-MKE C/O FOLEY & LARDNER 777 EAST WISCONSIN AVENUE MILWAUKEE, WI 53202-5367			HAMILTON, LALITA M	
			ART UNIT	PAPER NUMBER
			3624	

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/737,298	KEMPER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Lalita M. Hamilton	3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)          |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. <u>3/5/06</u>  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11/82004</u> .  | 6) <input type="checkbox"/> Other: _____.                                   |

## DETAILED ACTION

### Summary

On July 25, 2005, the Applicant filed a response regarding supporting material for the rule 1.131 Affidavit filed on November 16, 2004. A new non-final rejection follows.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Greenwood (2002/0152155).

Greenwood discloses a method and corresponding system of application processing whereby loan data is verified comprising receiving a second set of Loan data for the loan from the seller, the second set of Loan data associated with a delivery process, retrieving the first set of Loan data, and comparing the first set of Loan data and the second set of Loan data to determine any differences (p.6, 91-97 and p.8, 115-121); determining at least one difference between the first set of loan data and the second set of Loan data and editing the second set of Loan data (p.6, 91-97 and p.8, 115-121); determining at least one difference between the first set of Loan data and the second set of Loan data and notifying the seller of the at least one difference (p.6, 91-

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97; p.7, 106; and p.8, 115-121—customer always notified of problems pertaining to the loan); determining at least one difference between the first set of Loan data and the second set of Loan data and processing the second set of loan data using the underwriting process (p.6, 91-97 and p.8, 115-121); determining at least one difference between the first set of Loan data and the second set of Loan data and determining a yield adjustment for the Loan based on the at least one difference (p.2, 18-19; p.6, 91-97 and p.8, 115-121); determining at least one difference between the first set of Loan data and the second set of Loan data and determining a fee to be charged to the seller based on the at least one difference (p.2, 18-19; p.6, 91-97 and p.8, 115-121); means for receiving a second set of Loan data for the Loan from the seller, the second set of Loan data associated with a delivery process, means for retrieving the first set of Loan data, and means for comparing the first set of loan data and the second set of loan data to determine any differences (p.6, 91-97 and p.8, 115-121); means for editing the second set of Loan data upon determining at least one difference between the first set of Loan data and the second set of Loan data (p.6, 91-97 and p.8, 115-121); receiving a set of delivery data from a seller, comparing the set of underwriting data to the set of delivery data to identify any differences, determining a price for the loan based on at least one of the delivery data and the underwriting data, and upon identifying at least one difference between the set of underwriting data and the set of delivery data, determining a price change based upon the at least one difference (p.6, 91-97 and p.8, 115-121); comparing a predetermined set of information in the set of underwriting data and the set of delivery data (p.6, 91-97 and p.8, 115-121); generating an updated set of

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underwriting data based on the at least one difference and determining a price based on the updated set of underwriting data (p.6, 91-97 and p.8, 115-121); means for receiving a set of delivery data from a seller, means for comparing the set of underwriting data to the set of delivery data to identify any differences, means for determining a price for the Loan based on at least one of the delivery data and the underwriting data, and means for determining a price change based upon at least one difference identified between the set of underwriting data and the set of delivery data (p.6, 91-97 and p.8, 115-121); receiving a set of delivery data from the seller using delivery logic, accessing the set of underwriting data using the identifier, and comparing the set of underwriting data to the set of delivery data to determine any differences (p.6, 91-97 and p.8, 115-121); determining at least one difference between the set of underwriting data and the set of delivery data and editing the set of delivery data (p.6, 91-97 and p.8, 115-121); receiving a second set of Loan data for the Loan from the seller, the second set of Loan data associated with a delivery process, retrieving the first set of Loan data, comparing the first set of Loan data and the second set of Loan data to determine any differences, and determining a yield adjustment for the Loan based on at least one difference, wherein the seller determines not to deliver the loan to the purchaser based on the yield adjustment (p.2, 18-19; p.6, 91-97 and p.8, 115-121); and having a set of underwriting data provided by underwriting logic, the set of underwriting data having an identifier, the system comprising a data source configured to receive a set of loan data for the Loan and comparison logic coupled to the data source and the

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underwriting logic, the comparison logic configured to compare the set of underwriting data to the set of Loan data to determine any differences (p.6, 91-97 and p.8, 115-121).

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

2002/0059137

2002/0138413

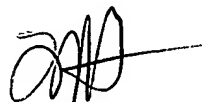
2002/0082984

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M. Hamilton whose telephone number is (571) 272-6743. The examiner can normally be reached on Tuesday-Thursday (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'LMH' with a stylized flourish extending to the right.

LMH